

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JAMES HAROLD BURKE,  
(# 10314-003)

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

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CRIMINAL NO.: 08-00176-WS  
CIVIL ACTION: 11-00436-WS-B

JUDGMENT

It is **ORDERED, ADJUDGED, and DECREED** that Burke's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (Doc. 57) be **DENIED** and that Burke is not entitled to the issuance of a certificate of appealability or to proceed *in forma pauperis* on appeal.

**DONE** this 18th of December, 2013.

s/WILLIAM H. STEELE  
CHIEF UNITED STATES DISTRICT JUDGE